

Division of Health Service Regulation

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL029-134	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 11/09/2018
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NAME OF PROVIDER OR SUPPLIER DAVIDSON CRISIS CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 1104 B S MAIN STREET LEXINGTON, NC 27292
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V 000	<p>INITIAL COMMENTS</p> <p>A complaint survey was completed on 11/9/18. The complaint was substantiated (intake #NC143406). Deficiencies were cited.</p> <p>This facility is licensed for the following service category: 10A NCAC 27G .5000 Facility Based Crisis Service for Individuals of All Disability Groups.</p>	V 000		
V 270	<p>27G .5002 Facility Based Crisis - Staff</p> <p>10A NCAC 27G .5002 STAFF</p> <p>(a) Each facility shall maintain staff to client ratios that ensure the health and safety of clients served in the facility.</p> <p>(b) Staff with training and experience in the provision of care to the needs of clients shall be present at all times when clients are in the facility.</p> <p>(c) The facility shall have the capacity to bring additional staff on site to provide more intensive supervision, treatment, or management in response to the needs of individual clients.</p> <p>(d) The treatment of each client shall be under the supervision of a physician, and a physician shall be on call on a 24-hour per day basis.</p> <p>(e) Each direct care staff member shall have access at all times to qualified professionals who are qualified in the disability area(s) of the clients with whom the staff is working.</p> <p>(f) Each direct care staff member shall be trained and have basic knowledge about mental illnesses and psychotropic medications and their side effects; mental retardation and other developmental disabilities and accompanying behaviors; the nature of addiction and recovery and the withdrawal syndrome; and treatment methodologies for adults and children in crisis.</p> <p>(g) Staff supervision shall be provided by a qualified professional as appropriate to the</p>	V 270		

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LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE _____ TITLE _____ (X6) DATE _____

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V 270	<p>Continued From page 1</p> <p>client's needs.</p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure each direct care staff was trained and had basic knowledge about mental illnesses and psychotropic medications and their side effects; mental retardation and other developmental disabilities and accompanying behaviors; the nature of addiction and recovery and the withdrawal syndrome; and treatment methodologies for adults and children in crisis. The findings are:</p> <p>Review on 11/9/18 of the facility's contract with a Staffing Agency revealed: - The Licensee entered into a contract with the Staffing Agency on 2/7/17 to provide "supplemental clinical and administrative personnel" to the facility; - " ... [The Staffing Agency] agrees that it shall ensure that all Supplemental Staff provided to Facility are fully familiar with Facility policies, Facility's job description, Facility protocols and established standards of care. However, any onsite orientation of Supplemental Staff shall be the Facility's responsibility ..." - The contract did not specify that Supplemental Staff would receive training in mental illnesses and psychotropic medications and their side effects; mental retardation and other developmental disabilities and accompanying behaviors; the nature of addiction and recovery and the withdrawal syndrome; and treatment methodologies for adults and children in crisis.</p> <p>Review on 11/8/18 of the facility's staffing schedules from 8/1/18 to 10/31/18 revealed:</p>	V 270		

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V 270	<p>Continued From page 2</p> <ul style="list-style-type: none"> - Supplemental Staff Nurses worked at the facility on 14 of 31 days in August, 11 of 30 days in September and 15 of 31 days in October. <p>Review on 11/9/18 of the Staffing Agency's employee training forms revealed:</p> <ul style="list-style-type: none"> - Two "Acknowledgement Form; [Accreditation Agency] Mandated Educational In-Services ..." forms were used to track trainings completed by Staffing Agency Supplemental Staff; - The form for "...Section A: Staffing Agency Core Topics" included general trainings such as hand hygiene, fire safety, drug abuse policies & procedures, and clinical documentation; - The form for "... Section B: Facility Core Topics" included additional trainings such as AMBER Alerts, Communication with Limited English Proficiency, Meal Breaks & Rest Periods, and Occurrence & Claim Reporting; - There were no trainings related to mental illnesses and psychotropic medications and their side effects; mental retardation and other developmental disabilities and accompanying behaviors; the nature of addiction and recovery and the withdrawal syndrome; and treatment methodologies for adults and children in crisis. <p>Interview on 11/7/18 with the Licensed Practical Nurse (LPN) revealed:</p> <ul style="list-style-type: none"> - She had worked at the facility as a Supplemental Staff Nurse through the Staffing Agency since April 2018 until she was hired by the facility approximately one month ago; - The Staffing Agency provided Supplemental Staff with a binder containing information about the facility prior to the Supplemental Staff working at the facility; - Once Supplemental Staff begin working at the facility, they are provided with additional information; 	V 270		

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V 270	<p>Continued From page 3</p> <ul style="list-style-type: none"> - The facility provided Supplemental Staff from the Staffing Agency with orientation information related to cultural diversity, client rights, nationalities, socio-economic status, victims of domestic violence, sexual orientation and/or sexual preference, and other related information. <p>Interview on 11/9/18 with the Staffing Agency Director of Nursing (SADON) revealed:</p> <ul style="list-style-type: none"> - The SADON was not aware of the specific trainings required by licensure rule for each direct care staff that worked at the facility; - The Staffing Agency did provide training to nurses before they worked at the facility, but it did not include mental illnesses, psychotropic medications and their side effects, mental retardation and other developmental disabilities and accompanying behaviors, the nature of addiction and recovery and the withdrawal syndrome, or treatment methodologies for adults and children in crisis; - Supplemental Staff did get training on the use of Librium in detox, but not other psychotropic medications; - Some of the Supplemental Staff that the Staffing Agency sent to the facility had worked in similar environments, and they were utilized as much as possible when the facility needed staff. <p>Interview on 11/9/18 with the Program Director (PD) revealed:</p> <ul style="list-style-type: none"> - The PD did not have a role in training Supplemental Staff from the Staffing Agency; - The PD called the SADON when the facility needed a nurse to cover a shift at the facility; - The Staffing Agency then arranged for a nurse to work at the facility; - The contract with the Staffing Agency was coordinated through the Licensee's Human Resources (HR) Department; 	V 270		

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V 270	Continued From page 4 - HR may have worked out the details of training for Supplemental Staff from the Staffing Agency. Interviews on 11/8/18 and 11/9/18 with the Facility Based Crisis Operations Director (FBCOD) revealed: - The facility contracted with the Staffing Agency for nursing staff to cover shifts in which the facility was unable to fill with their own nursing staff; - The Staffing Agency was supposed to provide necessary trainings to Supplemental Staff nurses before they were sent to the facility to work; - The Staffing Agency had a checklist of trainings that they provided to Supplemental Staff.	V 270		
V 536	27E .0107 Client Rights - Training on Alt to Rest. Int. 10A NCAC 27E .0107 TRAINING ON ALTERNATIVES TO RESTRICTIVE INTERVENTIONS (a) Facilities shall implement policies and practices that emphasize the use of alternatives to restrictive interventions. (b) Prior to providing services to people with disabilities, staff including service providers, employees, students or volunteers, shall demonstrate competence by successfully completing training in communication skills and other strategies for creating an environment in which the likelihood of imminent danger of abuse or injury to a person with disabilities or others or property damage is prevented. (c) Provider agencies shall establish training based on state competencies, monitor for internal compliance and demonstrate they acted on data gathered. (d) The training shall be competency-based, include measurable learning objectives,	V 536		

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V 536	<p>Continued From page 5</p> <p>measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course.</p> <p>(e) Formal refresher training must be completed by each service provider periodically (minimum annually).</p> <p>(f) Content of the training that the service provider wishes to employ must be approved by the Division of MH/DD/SAS pursuant to Paragraph (g) of this Rule.</p> <p>(g) Staff shall demonstrate competence in the following core areas:</p> <ol style="list-style-type: none"> (1) knowledge and understanding of the people being served; (2) recognizing and interpreting human behavior; (3) recognizing the effect of internal and external stressors that may affect people with disabilities; (4) strategies for building positive relationships with persons with disabilities; (5) recognizing cultural, environmental and organizational factors that may affect people with disabilities; (6) recognizing the importance of and assisting in the person's involvement in making decisions about their life; (7) skills in assessing individual risk for escalating behavior; (8) communication strategies for defusing and de-escalating potentially dangerous behavior; and (9) positive behavioral supports (providing means for people with disabilities to choose activities which directly oppose or replace behaviors which are unsafe). <p>(h) Service providers shall maintain documentation of initial and refresher training for</p>	V 536		

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V 536	<p>Continued From page 6</p> <p>at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where they attended; and</p> <p>(C) instructor's name;</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(i) Instructor Qualifications and Training Requirements:</p> <p>(1) Trainers shall demonstrate competence by scoring 100% on testing in a training program aimed at preventing, reducing and eliminating the need for restrictive interventions.</p> <p>(2) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program.</p> <p>(3) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course.</p> <p>(4) The content of the instructor training the service provider plans to employ shall be approved by the Division of MH/DD/SAS pursuant to Subparagraph (i)(5) of this Rule.</p> <p>(5) Acceptable instructor training programs shall include but are not limited to presentation of:</p> <p>(A) understanding the adult learner;</p> <p>(B) methods for teaching content of the course;</p> <p>(C) methods for evaluating trainee performance; and</p> <p>(D) documentation procedures.</p> <p>(6) Trainers shall have coached experience teaching a training program aimed at preventing, reducing and eliminating the need for restrictive interventions at least one time, with positive</p>	V 536		

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V 536	<p>Continued From page 7</p> <p>review by the coach.</p> <p>(7) Trainers shall teach a training program aimed at preventing, reducing and eliminating the need for restrictive interventions at least once annually.</p> <p>(8) Trainers shall complete a refresher instructor training at least every two years.</p> <p>(j) Service providers shall maintain documentation of initial and refresher instructor training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where attended; and</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may request and review this documentation any time.</p> <p>(k) Qualifications of Coaches:</p> <p>(1) Coaches shall meet all preparation requirements as a trainer.</p> <p>(2) Coaches shall teach at least three times the course which is being coached.</p> <p>(3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction.</p> <p>(l) Documentation shall be the same preparation as for trainers.</p> <p> </p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure service providers received training on alternatives to restrictive interventions prior to providing services to clients. The findings are:</p>	V 536		

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V 536	<p>Continued From page 8</p> <p>Review on 11/9/18 of the facility's contract with a Staffing Agency revealed:</p> <ul style="list-style-type: none"> - The Licensee entered into a contract with the Staffing Agency on 2/7/17 to provide "supplemental clinical and administrative personnel" to the facility; - "... [The Staffing Agency] agrees that it shall ensure that all Supplemental Staff provided to Facility are fully familiar with Facility policies, Facility's job description, Facility protocols and established standards of care. However, any onsite orientation of Supplemental Staff shall be the Facility's responsibility ..." - The contract did not specify that Supplemental Staff would receive training on alternatives to restrictive interventions. <p>Review on 11/8/18 of the facility's staffing schedules from 8/1/18 to 10/31/18 revealed:</p> <ul style="list-style-type: none"> - Supplemental Staff Nurses worked at the facility on 14 of 31 days in August, 11 of 30 days in September and 15 of 31 days in October. <p>Review on 11/9/18 of the Staffing Agency's employee training forms revealed:</p> <ul style="list-style-type: none"> - No training on alternatives to restrictive interventions was provided to Supplemental Staff. <p>Interview on 11/7/18 with the Licensed Practical Nurse (LPN) revealed:</p> <ul style="list-style-type: none"> - She had worked at the facility as a Supplemental Staff Nurse through the Staffing Agency since April 2018 until she was hired by the facility approximately one month ago; - While an employee of the Staffing Agency, she had not received training on alternatives to restrictive interventions; - Once she was hired by the facility, she did receive training on alternatives to restrictive 	V 536		

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V 536	<p>Continued From page 9</p> <p>interventions as part of her orientation.</p> <p>Interview on 11/9/18 with the Staffing Agency Director of Nursing (SADON) revealed:</p> <ul style="list-style-type: none"> - The SADON was not aware that training on alternatives to restrictive interventions was required for all service providers prior to working with clients; - The Staffing Agency did provide training to nurses before they worked at the facility, but it did not include training on alternatives to restrictive interventions. <p>Interview on 11/9/18 with the Program Director (PD) revealed:</p> <ul style="list-style-type: none"> - The contract with the Staffing Agency was coordinated through the Licensee's Human Resources (HR) Department; - HR may have worked out the details of training on alternatives to restrictive interventions for Supplemental Staff from the Staffing Agency; - The PD did not have a role in ensuring Supplemental Staff from the Staffing Agency had received required trainings. <p>Interviews on 11/8/18 and 11/9/18 with the Facility Based Crisis Operations Director (FBCOD) revealed:</p> <ul style="list-style-type: none"> - The facility contracted with the Staffing Agency for nursing staff to cover shifts in which the facility was unable to fill with their own nursing staff; - The Staffing Agency was supposed to provide necessary trainings to Supplemental Staff nurses before they were sent to the facility to work; - The Staffing Agency had a checklist of trainings that they provided to Supplemental Staff; - The facility did not provide Supplemental Staff from the Staffing Agency with training on alternatives to restrictive interventions. 	V 536		

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V 537	Continued From page 10	V 537		
V 537	<p>27E .0108 Client Rights - Training in Sec Rest & ITO</p> <p>10A NCAC 27E .0108 TRAINING IN SECLUSION, PHYSICAL RESTRAINT AND ISOLATION TIME-OUT</p> <p>(a) Seclusion, physical restraint and isolation time-out may be employed only by staff who have been trained and have demonstrated competence in the proper use of and alternatives to these procedures. Facilities shall ensure that staff authorized to employ and terminate these procedures are retrained and have demonstrated competence at least annually.</p> <p>(b) Prior to providing direct care to people with disabilities whose treatment/habilitation plan includes restrictive interventions, staff including service providers, employees, students or volunteers shall complete training in the use of seclusion, physical restraint and isolation time-out and shall not use these interventions until the training is completed and competence is demonstrated.</p> <p>(c) A pre-requisite for taking this training is demonstrating competence by completion of training in preventing, reducing and eliminating the need for restrictive interventions.</p> <p>(d) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course.</p> <p>(e) Formal refresher training must be completed by each service provider periodically (minimum annually).</p> <p>(f) Content of the training that the service provider plans to employ must be approved by the Division of MH/DD/SAS pursuant to</p>	V 537		

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V 537	<p>Continued From page 11</p> <p>Paragraph (g) of this Rule.</p> <p>(g) Acceptable training programs shall include, but are not limited to, presentation of:</p> <p>(1) refresher information on alternatives to the use of restrictive interventions;</p> <p>(2) guidelines on when to intervene (understanding imminent danger to self and others);</p> <p>(3) emphasis on safety and respect for the rights and dignity of all persons involved (using concepts of least restrictive interventions and incremental steps in an intervention);</p> <p>(4) strategies for the safe implementation of restrictive interventions;</p> <p>(5) the use of emergency safety interventions which include continuous assessment and monitoring of the physical and psychological well-being of the client and the safe use of restraint throughout the duration of the restrictive intervention;</p> <p>(6) prohibited procedures;</p> <p>(7) debriefing strategies, including their importance and purpose; and</p> <p>(8) documentation methods/procedures.</p> <p>(h) Service providers shall maintain documentation of initial and refresher training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcomes (pass/fail);</p> <p>(B) when and where they attended; and</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(i) Instructor Qualification and Training Requirements:</p> <p>(1) Trainers shall demonstrate competence by scoring 100% on testing in a training program aimed at preventing, reducing and eliminating the</p>	V 537		

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V 537	<p>Continued From page 12</p> <p>need for restrictive interventions.</p> <p>(2) Trainers shall demonstrate competence by scoring 100% on testing in a training program teaching the use of seclusion, physical restraint and isolation time-out.</p> <p>(3) Trainers shall demonstrate competence by scoring a passing grade on testing in an instructor training program.</p> <p>(4) The training shall be competency-based, include measurable learning objectives, measurable testing (written and by observation of behavior) on those objectives and measurable methods to determine passing or failing the course.</p> <p>(5) The content of the instructor training the service provider plans to employ shall be approved by the Division of MH/DD/SAS pursuant to Subparagraph (j)(6) of this Rule.</p> <p>(6) Acceptable instructor training programs shall include, but not be limited to, presentation of:</p> <ul style="list-style-type: none"> (A) understanding the adult learner; (B) methods for teaching content of the course; (C) evaluation of trainee performance; and (D) documentation procedures. <p>(7) Trainers shall be retrained at least annually and demonstrate competence in the use of seclusion, physical restraint and isolation time-out, as specified in Paragraph (a) of this Rule.</p> <p>(8) Trainers shall be currently trained in CPR.</p> <p>(9) Trainers shall have coached experience in teaching the use of restrictive interventions at least two times with a positive review by the coach.</p> <p>(10) Trainers shall teach a program on the use of restrictive interventions at least once</p>	V 537		

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL029-134	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 11/09/2018
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NAME OF PROVIDER OR SUPPLIER DAVIDSON CRISIS CENTER	STREET ADDRESS, CITY, STATE, ZIP CODE 1104 B S MAIN STREET LEXINGTON, NC 27292
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V 537	<p>Continued From page 13</p> <p>annually.</p> <p>(11) Trainers shall complete a refresher instructor training at least every two years.</p> <p>(k) Service providers shall maintain documentation of initial and refresher instructor training for at least three years.</p> <p>(1) Documentation shall include:</p> <p>(A) who participated in the training and the outcome (pass/fail);</p> <p>(B) when and where they attended; and</p> <p>(C) instructor's name.</p> <p>(2) The Division of MH/DD/SAS may review/request this documentation at any time.</p> <p>(l) Qualifications of Coaches:</p> <p>(1) Coaches shall meet all preparation requirements as a trainer.</p> <p>(2) Coaches shall teach at least three times, the course which is being coached.</p> <p>(3) Coaches shall demonstrate competence by completion of coaching or train-the-trainer instruction.</p> <p>(m) Documentation shall be the same preparation as for trainers.</p> <p> </p> <p>This Rule is not met as evidenced by: Based on record reviews and interviews, the facility failed to ensure service providers completed training in seclusion, physical restraint and isolation time out prior to providing services. The findings are:</p> <p> </p> <p>Review on 11/9/18 of the facility's contract with a Staffing Agency revealed: - The Licensee entered into a contract with the Staffing Agency on 2/7/17 to provide "supplemental clinical and administrative personnel" to the facility;</p>	V 537		

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STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION	(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: MHL029-134	(X2) MULTIPLE CONSTRUCTION A. BUILDING: _____ B. WING _____	(X3) DATE SURVEY COMPLETED C 11/09/2018
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V 537	<p>Continued From page 14</p> <p>- "... [The Staffing Agency] agrees that it shall ensure that all Supplemental Staff provided to Facility are fully familiar with Facility policies, Facility's job description, Facility protocols and established standards of care. However, any onsite orientation of Supplemental Staff shall be the Facility's responsibility ..."</p> <p>- The contract did not specify that Supplemental Staff would receive training in seclusion, physical restraint and isolation time out.</p> <p>Review on 11/8/18 of the facility's staffing schedules from 8/1/18 to 10/31/18 revealed:</p> <p>- Supplemental Staff Nurses worked at the facility on 14 of 31 days in August, 11 of 30 days in September and 15 of 31 days in October.</p> <p>Review on 11/9/18 of the Staffing Agency's employee training forms revealed:</p> <p>- No training in seclusion, physical restraint and isolation time out was provided to Supplemental Staff.</p> <p>Interview on 11/7/18 with the Licensed Practical Nurse (LPN) revealed:</p> <p>- She had worked at the facility as a Supplemental Staff Nurse through the Staffing Agency since April 2018 until she was hired by the facility approximately one month ago;</p> <p>- While an employee of the Staffing Agency, she had not received training in seclusion, physical restraint and isolation time out</p> <p>- Once she was hired by the facility, she did receive training in seclusion, physical restraint and isolation time out as part of her orientation.</p> <p>Interview on 11/9/18 with the Staffing Agency Director of Nursing (SADON) revealed:</p> <p>- The SADON was not aware that training in seclusion, physical restraint and isolation time out</p>	V 537		

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V 537	<p>Continued From page 15</p> <p>was required for all service providers prior to working with clients;</p> <ul style="list-style-type: none"> - The Staffing Agency did provide training to nurses before they worked at the facility, but it did not include training in seclusion, physical restraint and isolation time out. <p>Interview on 11/9/18 with the Program Director (PD) revealed:</p> <ul style="list-style-type: none"> - The contract with the Staffing Agency was coordinated through the Licensee's Human Resources (HR) Department; - HR may have worked out the details of training in seclusion, physical restraint and isolation time out for Supplemental Staff from the Staffing Agency; - The PD did not have a role in ensuring Supplemental Staff from the Staffing Agency had received required trainings. <p>Interviews on 11/8/18 and 11/9/18 with the Facility Based Crisis Operations Director (FBCOD) revealed:</p> <ul style="list-style-type: none"> - The facility contracted with the Staffing Agency for nursing staff to cover shifts in which the facility was unable to fill with their own nursing staff; - The Staffing Agency was supposed to provide necessary trainings to Supplemental Staff nurses before they were sent to the facility to work; - The Staffing Agency had a checklist of trainings that they provided to Supplemental Staff; - The facility did not provide Supplemental Staff from the Staffing Agency with training in seclusion, physical restraint and isolation time out. 	V 537		